

AN ORDINANCE AMENDING CHAPTER 44, NOISE CONTROL.

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WHEREAS, the City Council of the City of Ankeny, Iowa, deems it in the best interest of the City to amend Chapter 44 Noise Control.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ankeny, Iowa, as follows:

Section 1. Chapter 44, Noise Control, is hereby amended in Section 44.06 to add the following new subsection (6) concerning special events:

6. Special Events. Any other language in this Section to the contrary notwithstanding, the following additional requirements are added concerning an event for which a Special Event Permit is required under Chapter 11 of the Municipal Code or for which a Noise Permit is otherwise required:

- (i) A decibel level exceeding 70 measured upon receipt of a complaint allows the City to shut down the special event, for non-compliance of this chapter. When a complaint is received, the measurement shall be taken at the edge of the city street(s) or right of way abutting the event site, or in the case Hawkeye Park is the event site the north property line of the park. When a complaint is received, a measurement may also be taken at the location on the complainant's property where the complaining party was disturbed.
- (ii) If there is no voluntary compliance within a reasonable amount of time, the Police Department is given the authority to shut down the special event.
- (iii) The applicant of the Noise Permit is required to give property owners within 250 feet of the event notice at least 30 days before the event on the form supplied by the City Clerk.
- (iv) Events for which noise permits either have not been obtained or which are in violation of the decibel level of 70 will be subject to those penalties established in Municipal Code Chapter 4, Municipal Infractions.

Section 2. Section 44.06(5) is hereby amended to delete "The Council" and insert in lieu thereof "The City Manager or the City Manager's designee."

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. This ordinance shall be effective upon its passage, approval and publication as provided by law.

PASSED and approved this \_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
STEVEN D. VAN OORT, Mayor

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PAMELA DeMOUTH, City Clerk

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2<sup>nd</sup> Con 5/3/10  
3<sup>rd</sup> Con \_\_\_\_\_**